Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: 1/28/06	Bureau/Station/Facility: FOR II/Compton Station	Admin. Invest.? [X]	Hit? [ ]

Incident Information

URN: 406-01579-2813-055	Date: 1/28/06 Time: 2018 hrs.
City or Station: Compton Station	Nature of Incident: As deputies responded to a 415F call, the suspect fled the location and barricaded himself in his nearby residence. The suspect then armed himself, and shot at deputy personnel from inside the residence. Deputies returned fire, firing 52 rounds into the location. The suspect subsequently surrendered and was taken into custody without further incident.
Location: [redacted] Anzac Avenue, Compton	

Location Type (*circle one or more*): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, (Residence), Rural, School, Street, Other: ______

Lighting (*circle only one*): (Darkness), Daylight, Other, Street Lights

Weather (*circle only one*): (Clear), Cloudy, Fog, Rain

Distance: 30 to 75 feet

Incident Type (*circle one or more*): Accidental, (Armed Person), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Warning Shot, Other: Call for service/415F

Initiated by (*circle only one*): Arrest Warrant, (Call), Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (*circle only one*): Detective, Inmate Transport, Other, (Routine Patrol)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
52	1	[X]	[ ]

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (*circle only one*)	ShiftType (*circle only one*)
[redacted]	[redacted]	[redacted]		EM (PM) Day	(Regular) Overtime Off Duty
[redacted]	Phillippi	Jason		EM (PM) Day	(Regular) Overtime Off Duty
[redacted]	Vizcarra	Daniel		EM (PM) Day	(Regular) Overtime Off Duty

Non-Employee Witnesses

Last Name	First Name	M.I.	Street Address	City	Zip Code	Work Ph	Home Ph
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]		[redacted]	[redacted]	[redacted]		[redacted]
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		[redacted]

Supervisors

Employee #	Last Name	First Name	M.I.	(*circle one or more*)
[redacted]	Regalado	Raul		(On Duty) (Present during shooting) (Witness to shooting) Involved in shooting
[redacted]	Tardy	April		(On Duty) (Present during shooting) (Witness to shooting) Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	Gage	Scott	W

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	Davoren	Patrick	S

PSTD Use Only
SH # 2164595

SH-R-4380 rev. 3/97

See Reverse

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
1/28/06	2300 hr.	4/6/06	

Employee #	Last Name	First Name	M.I
[redacted]	Anderson	Clay	J
[redacted]	Flamm	Steven	
[redacted]	Jensen	Curtis	A

Shooting / Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) 22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED *(one code per block)*

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
E#1	S#1	FH	BR	9	Y	Y	NN	
E#2	S#1	FH	BR	9	Y	Y	NN	
E#3	S#1	FH	BR	9	Y	Y	NN	
E#4	S#1	FH	HK	45	Y	Y	NN	
E#5	S#1	FH	BR	9	Y	Y	NN	
E#6	S#1	FH	HK	45	Y	Y	NN	
E#7	S#1	FS	IT	12	Y	Y	NN	
E#8	S#1	FR	RM	23	Y	Y	NN	
E#9	S#1	FS	IT	12	Y	Y	NN	
E#10	S#1	FR	RM	23	Y	Y	NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 406-01579-2813-055

Involved Employee

E 1

Employee # [redacted]	Last Name: Chahine	First Name: Nader	M.I.: H
Sex: M / Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 283
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): Regular **Overtime** Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # / Interviewed? [ ]
Hrs of sleep prior to shooting: 5	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 6'00 / Weight: 190lbs.		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [X] / Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 2

Employee # [redacted]	Last Name: Cocke	First Name: Richard	M.I.:
Sex: M / Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 287
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): Regular **Overtime** Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # / Interviewed? [ ]
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 6' 04" / Weight: 310 lbs.		
Range Qualification Date: [redacted]	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [X] / Number of Prior Shootings: 3
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E 3

Employee # [redacted]	Last Name: Cruz	First Name: Javier	M.I.:
Sex: M / Race: H	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 283
ShiftTime (*circle only one*): EM PM **Day**	ShiftType (*circle only one*): Regular **Overtime** Off Duty	Intoxication/Drug Usage? [ ]	Substance Used:
Hospital Admission? [ ]	Hospital Name:	Coroner Case? [ ]	Coroner Case # / Interviewed? [ ]
Hrs of sleep prior to shooting: 7	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Plain Clothes w/ Vest, Raid Jacket no Vest, Raid Jacket w/ Vest, Uniform no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 5' 10" / Weight: 200		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] / Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

Officer Involved Shooting 
Involved Employee Information

URN: 406-01579-2813-055

Involved Employee

E 4

Employee # [redacted]	Last Name: Landberg	First Name: Gerald	M.I.: A
Sex: M Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 285
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 6'03"	Weight: 205 lbs.		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]

E 5

Employee # [redacted]	Last Name: Lenning	First Name: Michael	M.I.:
Sex: M Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 284 B
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): Regular (Overtime) Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5'6"	Weight: 195 lbs.		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp #	Last Name [redacted]	First Name [redacted]	M.I.

E 6

Employee # [redacted]	Last Name: Montoya	First Name: Frank	M.I.: R
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 8	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest; Plain Clothes w/ Vest; Raid Jacket no Vest; Raid Jacket w/ Vest; Uniform no Vest; (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 5'10"	Weight: 190lbs.		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? ☒ Number of Prior Shootings: 1
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I. [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

Officer Involved Shooting
Involved Employee Information

URN: 406-01579-2819-055

Involved Employee

E 7

Employee # [redacted]	Last Name: Raffaelli	First Name: Mark	M.I.: L
Sex: M Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 282
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 6	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted]	Height: 5'9"	Weight: 210 lbs.	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 8

Employee # [redacted]	Last Name: Rodriguez	First Name: Alfonso	M.I.:
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 281K1
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 10	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted]	Height: 5'09"	Weight: 187	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 9

Employee # [redacted]	Last Name: Rufino	First Name: Rafael	M.I.:
Sex: M Race: H	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 287
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case #: Interviewed? ☐
Hrs of sleep prior to shooting: 9	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, (Uniform w/ Vest)	Other Factors:
Age: [redacted]	Height: 5' 8"	Weight: 190lbs.	
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☒	Patrol Certification? ☒	Certification Unit: CPT	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

See Other Side

Officer Involved Shooting
Involved Employee Information



URN: 406-01579-2819-055

Involved Employee

E10

Employee # [redacted]	Last Name: Sauter	First Name: Chad	M.I.
Sex: M Race: W	Rank: Deputy Sheriff	Unit Assignment: Compton Station	Work Assignment (Unit #, Module, etc.): Unit 285
ShiftTime (*circle only one*): EM (PM) Day	ShiftType (*circle only one*): (Regular) Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting: 9	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / (Uniform w/ Vest)	Other Factors:
Age: [redacted] Height: 6'04"	Weight: 235lbs.		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings:
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

E___

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest / Raid Jacket w/ Vest / Plain Clothes w/ Vest / Uniform no Vest / Raid Jacket no Vest / Uniform w/ Vest	Other Factors:
Age: Height:	Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting  URN: 406-01579-2813-055
Suspect Information

Suspect Information

S 1

Last Name: Earle	First Name: Brian	M.I.: A
AKA Last Name: Earlie	First Name: Brian	M.I.:

Sex: M Race: B	Street Address: [redacted]	City: [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #:	Driver's License #:
Age: 39 D.O.B. 05-12-66	Height: 6'00 Weight: 230 lbs.	FBI # [redacted]	CII # [redacted]
Booking # 8906869	Primary Charge: 664/187 PC	Secondary Charge: 594 PC	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☒	Substance Used:
Armed? ☒	Apprehended? ☒	Mental Illness? ☐	Criminal History? [redacted]
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S

Last Name	First Name	M.I.
AKA Last Name	First Name	M.I.

Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Employee Witnesses

Last Name	First Name	M.I.	Street Address	Zip Code	Work Ph	Home Ph
Regalado	Raul		Compton Station, 301 South Willowbrook Ave. Compton, CA	90220	310-605-6500	
Tardy	April		Compton Station, 301 South Willowbrook Ave. Compton, CA	90220	310-605-6500	

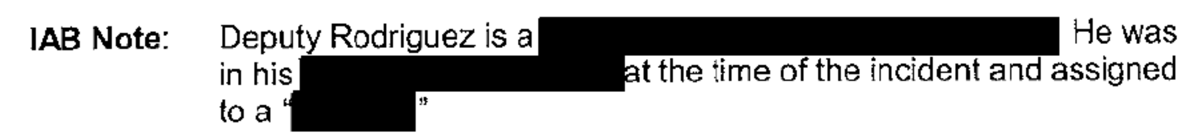
COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY
DEPUTY INVOLVED NON-HIT SHOOTING

UNIT:	Compton Station
DATE:	Saturday, January 28, 2006
TIME:	0030 hours
LOCATION:	[redacted] Anzac Avenue City of Compton
URN#:	406-01979-2813-055
IAB#:	SH2164595/IV2164503

On January 28, 2006, the Internal Affairs Bureau's Force and Shooting Response Team responded to the intersection of Anzac Avenue and Nord Street in the City of Compton regarding an officer involved non-hit shooting. The team consisted of Sergeant Clay Anderson, Sergeant Steve Flamm, and Lieutenant Curtis Jensen. Detectives Robert Moran and Scott McCormick of Compton Sheriff's Station were the detectives assigned to handle the criminal aspect of the incident.

When the team arrived at the location, one suspect was in custody, and there was an active command post and containment of the location. Investigators learned that the series of events which occurred culminated into an officer-involved non-hit shooting involving Deputies Nader Chahine, Richard Cocke, Javier Cruz, [redacted] Gerald Landberg, Michael Lennig,Frank Montoya, Jason Phillippi, Mark Raffaelli, Alfonso Rodriguez, Rafael Rufino, Chad Sauter, Daniel Vizcarra, and Anthony Willis, along with Sergeants Raul Regalado and April Tardy. All personnel involved in the incident were uniformed patrol officers working two-man units, with the exception of Deputies Jason Phillippi and Alfonso Rodriguez who were in one-man cars.



IAB Note: Deputy Rodriguez is a [redacted] He was in his [redacted] at the time of the incident and assigned to a "[redacted]"

This investigation is based on statements by the involved deputies and witnesses at the scene, and information obtained during the criminal investigation, along with various written documentation.

SYNOPSIS:
On January 28, 2006, at approximately 1951 hours, Deputies Jason Phillippi, Alfonso Rodriguez, Frank Montoya, and [redacted] were assigned a 415 Family call at [redacted] Anzac Avenue. While en route, the call was updated with information that the two brothers were now fighting and one was armed with a shovel. As deputies coordinated their response, they were told by the air unit that the suspects involved in the fight had split, one walking westbound on Anzac Avenue and the other remaining at the intersection. As they approached the location, they noticed a large crowd of 20 to 40 people were gathered in the intersection of Anzac Avenue and Nord Street, and the helicopter from Aero Bureau was overhead. They noted that the crowd was "unruly," with some people telling the deputies that they were not needed and instructing them to leave.

On Anzac Avenue, Deputies Montoya and [redacted] were contacted by a male (Mr. [redacted]), who was bleeding from the hand. [redacted] told them that he and his brother, Brian Earle, had been involved in a fight, and his brother was now at the house, [redacted] Anzac Avenue, (a house located on the [redacted] of the intersection). Deputies Montoya and [redacted] approached the residence in an attempt to contact Brian Earle. As they neared the house, Brian Earle suddenly ran into the residence, closing and locking the door behind him. Brian Earle then called out to them, yelling that he had a gun.

As deputies attempted to formulate a plan, the crowd grew increasingly "hostile" as some began to curse and yell at the deputies. Deputy Phillippi requested additional deputy personnel to respond to the location for "crowd control." As the deputies attempted to handle the situation regarding the man in the house, while simultaneously dealing with the crowd, they heard a single gunshot from within the residence. The deputies quickly retreated and repositioned themselves to positions of cover, and a supervisor was requested to respond with an AR-15.

Deputy Phillippi broadcasted the information to the responding units --and with the assistance of the additional personnel (Deputies Nader Chahine, Richard Cocke, Javier Cruz, Gerald Landberg, Michael Lennig, Mark Raffaelli, Rafael Rufino, and Chad Sauter)-- a containment of the residence was initiated. As deputies placed themselves around the location, an additional gunshot was heard from within the house. Coincidental to the sound, broken glass flew outward from a south window of the residence, in the direction of several deputies who were positioned at containment spots on Nord Avenue. The gunshot, coupled with reports of muzzle flash, caused fear among deputy personnel that they had been fired upon. Fearing for their safety and/or that of their partners, ten deputies fired their weapons into the residence.

After several minutes, Brian Earle was seen in the house's interior through a window with his hands raised, gesturing surrender. He was ordered out of the residence and was taken into custody, uninjured, without further incident.

IAB Note: A subsequent search of the home lead to the recovery of a replica BB gun (simulated a .45 automatic handgun) from a closet in the north bedroom of the location. No other firearms were recovered.

The incident resulted in 52 rounds fired at the residence with various weaponry:

Beretta 92F 9mm handgun (Department issue): 4 Deputies - 22 rounds
Heckler & Koch USP 45: 2 Deputies - 15 rounds
Ithica Shotgun 12 guage: 2 Deputies - 5 rounds (2 rifle slugs and 3 double-ought buck)
AR 15 .223 round: 2 Deputies 10 rounds

INVOLVED PERSONNEL:

Chahine, Nader
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Cocke, Richard
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Cruz, Javier
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Landberg, Gerald
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Lennig, Michael
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Montoya, Frank
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Raffaelli, Mark
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Rodriguez, Alfonso [redacted]
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Regalado, Raul
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Rufino, Rafael
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

Sauter, Chad
Deputy Sheriff, Employee #[redacted]
Field Operations Region II
Compton Sheriff's Station

EMPLOYEE WORK HISTORY:

Deputy Nader Chahine

Date of Employment:	02-04-99
Date assigned to Compton Patrol:	09-01-02
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	One (01/03)
Prior Founded Force Incidents:	[redacted]

Deputy Richard Cocke

Date of Employment:	06-24-87
Date assigned to Compton Patrol:	03-13-05 (prior 01/2001 to 9/2002)
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	Three (09/93, 03/05, 09/97)
Prior Founded Force Incidents:	[redacted]

Deputy Javier Cruz

Date of Employment:	02-04-99
Date assigned to Compton Patrol:	09-01-2002
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Deputy Gerald Landberg

Date of Employment:	10-14-99
Date assigned to Compton Patrol:	05-15-05
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Deputy Michael Lennig

Date of Employment:	12-27-94
Date assigned to Compton Patrol:	07-04-04
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Deputy Frank Montoya

Date of Employment:	12-27-94
Date assigned to Compton Patrol:	07-29-01
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	One (11/10/2001)
Prior Founded Force Incidents:	[redacted]

Deputy Mark Raffaelli

Date of Employment:	12-27-94
Date assigned to Compton Patrol:	07-04-04
Date completed patrol training:	[redacted]
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	[redacted]

Sergeant Raul Regalado

Date of Employment:	03-17-83
Date assigned to Compton Station:	01-09-05
Prior Shooting Incident(s):	[redacted]
Prior Founded Force Incidents:	Two

Deputy Alfonso Rodriguez

Date of Employment: 04-05-91
Date assigned to Compton Station: 08-14-05
Date completed patrol training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Deputy Rafael Rufino

Date of Employment: 04-05-91
Date assigned to Compton Station: 04-25-04
Date completed patrol training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incidents:

Deputy Chad Sauter

Date of Employment: 04-05-91
Date assigned to Compton Station: 10-10-04
Date completed patrol training: [redacted]
Prior Shooting Incident(s):
Prior Founded Force Incidents:



SUSPECT(S):

Brian Anthony Earle, MB/05-12-66, 6'-00", 230 lbs., black/brown

[redacted] Anzac Avenue,
Compton, Lynwood, CA 90221

Booking # 8906869 C.I.I. [redacted] Main # [redacted]

CRIMINAL HISTORY:

Suspect Thomas has an [redacted] A check of the Consolidated Criminal History Reporting System (CCHRS) revealed [redacted] dating back to 1985. His adult arrest record includes: [redacted]

IAB Note: Refer to **Exhibit S** for Brian Earle's criminal history report.

WITNESSES:

Deputy [redacted]
Deputy Sheriff, Employee #[redacted]
Compton Sheriff's Station
(310) 605-6500

Deputy Jason Phillippi
Deputy Sheriff, Employee #[redacted]
Compton Sheriff's Station
(310) 605-6500

Sergeant April Tardy
Deputy Sheriff, Employee #[redacted]
Compton Sheriff's Station
(310) 605-6500

Deputy Anthony Willis
Deputy Sheriff, Employee #[redacted]
Compton Sheriff's Station
(310) 605-6500

Deputy Daniel Vizcarra
Deputy Sheriff, Employee #[redacted]
Compton Sheriff's Station
(310) 605-6500



Mr. [redacted]
M/B [redacted]

Mr. [redacted]
M/B [redacted]



Mr. [redacted]
M/B [redacted]

INJURIES:

No injuries were sustained by Suspect Earle during the incident.

PHYSICAL EVIDENCE:

The following physical evidence (bullet, shot pellet, or slug holes/impacts were located, examined, and photographed with lettered evidence placards) were identified and contained within the Crime Lab report **(Exhibit Z)**.

- One bullet or slug impact in the east facing wall of the house (a bedroom lies directly behind this wall). The projectile was traveling generally in a westbound direction and impacted the wall but did not penetrate. (Placard A)
- One bullet or slug hole in the east facing wall of the house (a bedroom lies directly behind this wall). The projectile was traveling generally in a westbound direction and entered the wall but did not exit. (Placard B)
- One bullet or slug hole in the east facing wall of the house (a bedroom lies directly behind this wall). The projectile was traveling generally in a westbound direction and entered the wall but did not exit. (Placard C)
- One bullet or slug hole in the east facing wall of the house (a bedroom lies directly behind this wall). The projectile was traveling generally in a westbound direction and entered the wall but did not exit. (Placard D)
- One bullet or slug hole in the east facing wall of the house (a bedroom lies directly behind this wall). The projectile was traveling generally in a westbound direction and passed through the wall, entering the bedroom. No projectile could be located in the bedroom. (Placard E)
- One bullet or slug hole in the east facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a west by southwest direction and passed through the wall, entering the living room. Several fired bullets were located in the living room and surrounding areas, but none could be specifically linked to this hole. (Placard F)
- One bullet or slug impact in the east facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a westbound direction and impacted the wall but did not penetrate. (Placard G)
- One bullet or slug impact in the east facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a westbound direction and impacted the wall but did not penetrate. (Placard H)

- One bullet or slug hole in the east facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a west by southwest direction and passed through the wall, entering the living room. Several fired bullets were located in the living room and surrounding areas, but none could be specifically linked to this hole. (Placard I)

- One bullet or slug hole in the east facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a westbound direction and entered the wall. It could not be determined whether or nor this projectile remained in the wall or exited into the living room. (Placard J)

- One bullet or slug hole in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and entered the wall but did not exit. (Placard K)

- One bullet or slug hole in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and entered the wall but did not exit. (Placard L)

- One bullet or slug impact in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and impacted the wall but did not penetrate. (Placard M)

- One bullet or slug impact in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and impacted the wall but did not penetrate. (Placard N)

- One bullet or slug impact in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and impacted the wall but did not penetrate. (Placard O)

- One bullet or slug hole in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and entered the wall but did not exit. (Placard P)

- One bullet or slug hole in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and entered the wall but did not exit. (Placard Q)

- One bullet or slug hole in the south facing wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northbound direction and entered the wall but did not exit. (Placard R)

- One large hole, consistent with that which would be created by a shotgun slug, in the south facing window frame and wall of the house (the living room lies directly behind this wall). The projectile was traveling generally in a northwest direction and passed through the wall, entering the living room. A large lead fragment, which may be the remains of a shotgun slug, was located in the living room). (Placard S)

- One shot pellet impact pattern in the south facing wall and window frame of the house (the living room lies directly behind this wall). The shot pellets were traveling generally in a northwest direction and impacted the wall and window frame but did not penetrate. (Placard T)

- One bullet or shot pellet impact in the block wall lining the south edge of the yard. The projectile was traveling generally in a northbound direction and impacted the block wall but did not penetrate. (Placard U)

- One bullet or shot pellet impact in the block wall lining the south edge of the yard. The projectile was traveling generally in a northbound direction and impacted the block wall but did not penetrate. (Placard V)

- One bullet or shot pellet impact in the block wall lining the south edge of the yard. The projectile was traveling generally in a northbound direction and impacted the block wall but did not penetrate. (Placard W)

- One bullet or slug hole in the block wall lining the south edge of the yard. The projectile was traveling generally in a northbound direction and entered the block wall but did not exit. (Placard X)

- Five fired 223 Remington / 5.56mm caliber cartridge cases recovered from the roadway to the front of [redacted]. (Items 1 through 5)

- Six fired 45 Auto caliber cartridge cases recovered from the sidewalk and parkway area to the front of [redacted]. (Items 6 through 11)

- Three fired 223 Remington caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 12 through 14)

- Five fired 9mm Luger caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 15 through 19)

- One fired 12 Gauge shot shell recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Item 20)

- Two fired 9mm Luger caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 21, 22)

- Two fired 12 Gauge shotshells recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 23, 24)

- Two fired 9mm Luger caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 25, 26)

- One fired 12 Gauge shotshell recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Item 27)

- Four fired 9mm Luger caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 28 through 31)
- Four fired 45 Auto caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 32 through 35)
- One fired 9mm Luger caliber cartridge case recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Item 36)
- One fired 45 Auto caliber cartridge case recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Item 37)
- Two fired 9mm Luger caliber cartridge cases recovered from the parkway and sidewalk at the southwest corner of the intersection of Anzac Avenue and Nord Street. (Items 38, 39)
- Five fired 9mm Luger caliber cartridge cases recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Items 40 through 44)
- One fired 9mm Luger caliber cartridge case recovered from the sidewalk at the southwest corner of the intersection of Anzac Avenue and Nord Street. (Item 45)
- One fired 45 Auto caliber cartridge case recovered from the roadway at the intersection of Anzac Avenue and Nord Street. (Item 46)
- One cordless telephone receiver atop the roof of LASD patrol vehicle SD00956. (Item 47)
- One fired 45 Auto caliber cartridge case recovered from the front passenger seat of LASD patrol vehicle SD4018. (Item 48)
- One plastic shotshell wad recovered from the sidewalk to the south of [redacted] Anzac Avenue. (Item 49)
- One paper shotshell wad recovered from the sidewalk to the south of [redacted] Anzac Avenue. (Item 50)
- One Louisville Slugger baseball bat recovered from the sidewalk to the south of [redacted] Anzac Avenue. (Item 51)
- One 12 Gauge shotshell received from Sgt. Flamm at the crime scene. (Purportedly from Deputy Lennig's shotgun) (Item 52)
- One fired bullet recovered from the floor of the living room of the house at [redacted] Anzac Avenue. (Item 53)

- One fired bullet recovered from the floor of the doorjamb that separates the living room from the center room of the house at [redacted] Anzac Avenue. (Item 54)
- One fired bullet recovered from the floor of the center room of the house at [redacted] Anzac Avenue. (Item 55)
- One fired bullet recovered from atop an ironing board in the center room of the house at [redacted] Anzac Avenue. (Item 56)
- One fired bullet recovered from the floor of the center room of the house at [redacted] Anzac Avenue. (Item 57)
- One fired bullet recovered from the floor of the living room of the house at [redacted] Anzac Avenue. (Item 58)
- One lead fragment recovered from the floor of the living room of the house at [redacted] Anzac Avenue. (Item 59)

INVESTIGATOR OBSERVATIONS:

The physical evidence at the shooting scene (positions of the deputy's shell casings; position of the patrol cars; position of the suspect, and evidence recovered at the scene) appeared to be consistent with the deputies' and witnesses' versions of the event.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Nader Chahine

Department issued service firearm: Beretta, Model 92F, 9MM, serial #BER[redacted] Chahine's weapon contained one live Luger 9MM round in the chamber and fourteen Luger 9MM rounds in the gun magazine. Prior to the shooting, Deputy Chahine said his weapon was loaded with one live round in the chamber and fifteen live rounds in his gun's magazine. Fifteen rounds remained in the gun, which would account for **one round fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Chahine's weapon (**Exhibit Z**).

Deputy Richard Cocke

Department issued service firearm: Beretta, Model 92F, 9MM, serial #BER[redacted] Cocke's weapon contained one live Luger 9MM round in the chamber and two live Luger 9MM rounds in the gun magazine. Prior to the shooting, Deputy Cocke said his weapon was loaded with one live round in the chamber and fifteen live rounds in his gun's magazine. Three rounds remained in the gun, which would account for **thirteen rounds fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Cocke's weapon (**Exhibit Z**).

Deputy Javier Cruz

Department issued service firearm: Beretta, Model 92F, 9MM, serial #BER[redacted] Cruz's weapon contained one live Luger 9MM round in the chamber and twelve live Luger 9MM rounds in the gun magazine. Prior to the shooting, Deputy Cruz said his weapon was loaded with one live round in the chamber and fifteen live rounds in his gun's magazine. Thirteen rounds remained in the gun, which would account for **three rounds fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Cruz's weapon (**Exhibit Z**).

Deputy Gerald Landberg

Department authorized service firearm: Heckler and Koch, Model USP, .45 caliber, serial #[redacted] Landberg's weapon contained one live round in the chamber and four live Winchester rounds in the gun magazine. Prior to the shooting, Deputy Landberg said his weapon was loaded with one live round in the chamber and eleven live rounds in his gun's magazine. Five rounds were remained in the gun, which would account for **seven rounds fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Landberg's weapon (**Exhibit Z**).

Deputy Michael Lennig

Department issued service firearm: Beretta, Model 92F, 9MM, serial #BER[redacted] Lenning's weapon contained one live Luger 9MM round in the chamber and ten live Luger 9MM rounds in the gun magazine. Prior to the shooting, Deputy Lenning said his weapon was loaded with one live round in the chamber and fifteen live rounds in his gun's magazine. Eleven rounds were remained in the gun, which would account for **five rounds fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Lenning's weapon (**Exhibit Z**).

Deputy Frank Montoya

Department authorized service firearm: Heckler and Koch, Model USP, .45 caliber, serial #[redacted] Montoya's weapon contained one live round in the chamber and four live Winchester rounds in the gun magazine. Prior to the shooting, Deputy Montoya said his weapon was loaded with one live round in the chamber and twelve live rounds in his gun's magazine. Five rounds were remained in the gun, which would account for **eight rounds fired during the shooting incident.** For additional information, refer to the Crime Lab's examination of Montoya's weapon (**Exhibit Z**).

Deputy Mark Raffaelli

Department issued Ithica shotgun, 12 gauge, weapon assigned to Compton Station. Rafaelli stated that he loaded the weapon with four rifle slugs at the start of his shift. Three rounds remained in the gun, which would account for **one round fired during the shooting incident.**

IAB Note: During Deputy Raffaelli's interview, he stated that he was not aware of any Department policy regarding ammunition restrictions for the shotgun and/or its ammunition. Refer to **Exhibit CC** (12 Gauge Shotgun Ammunition, 3-03/120.05 MPP & Department Shotgun, 3-03/210.10 MPP) for shotgun ammunition restrictions.

Deputy Alfonso Rodriguez

Department issued AR-15, .223 caliber round, weapon assigned to Compton Station. Deputy Rodriguez stated that he retrieved the weapon and a 10 round magazine in the station's armory at the start of his shift. Seven rounds remained in the gun, which would account for **three rounds fired during the shooting incident.**

IAB Note: Deputy Rodriguez was trained and qualified to [redacted] He stated that he "believed" he was current with his qualification with the weapon; however, a review of his training records revealed that [redacted] Further, his records showed that he [redacted]

Policies and practices regarding the AR-15 rifle (F.O.D. 02-12 and 5-09/170.00 through 5-09/170.30 are submitted with this investigation as **Exhibit BB and CC,** respectively).

Deputy Rafael Rufino

Department issued Ithica shotgun, 12 gauge, weapon assigned to Compton Station. Deputy Rufino stated that during the incident, he retrieved a shotgun from Deputy Montoya's vehicle at the scene. He said during the incident, he shot four rounds from the weapon. He stated that one of the rounds was a rifle slug, which, unknown to him, had already been loaded in the weapon. The weapon was void of rounds, which would account for **four rounds fired during the shooting incident.**

IAB Note: The weapon used by Deputy Rufino was loaded by Deputy [redacted] Deputy [redacted] on the date of the incident. He stated he loaded the shotgun "with a slug first, and then three double-ought bucks following it." Deputy [redacted] stated that he was not aware of any Department policy regarding ammunition restrictions for the shotgun. Refer to **Exhibit CC** (12 Gauge Shotgun Ammunition, 3-03/120.05 MPP & Department Shotgun, 3-03/210.10 MPP) for shotgun ammunition restrictions.

Deputy Chad Sauter

Department issued AR-15, .223 caliber round, weapon assigned to Compton Station. Deputy Sauter stated that he retrieved the weapon and a 30 round magazine from the station's armory at the start of his shift. Twenty-three (23) rounds remained in the gun, which would account for **seven rounds fired during the shooting incident.**

IAB Note: Deputy Sauter was initially trained and qualified to use the AR-15 on November 12, 2003. He stated that he was [redacted] with his qualification with the weapon stating he last qualified "[redacted]." A review of his training records revealed that his initial training [redacted] was his only qualification test with the weapon.

Policies and practices regarding the AR-15 rifle (F.O.D. 02-12 and 5-09/170.00 through 5-09/170.30 are submitted with this investigation as **Exhibit BB and CC,** respectively).

WEAPONS USED BY SUSPECT(S):

No firearms were recovered from the scene. A subsequent search of the home lead to the recovery of a replica BB gun (simulated a .45 automatic handgun) from a closet in the north bedroom of the location . No other firearms were recovered.

PROPERTY DAMAGE:

Residence located at [redacted] Anzac Avenue:

The south and east facing walls, and the block wall lining the south edge of the yard of the house at [redacted] Anzac Avenue exhibited multiple bullet, shot pellet, and / or slug holes and impacts (10 slug or bullet holes to east facing wall,10 slug or bullet holes to south facing wall, and four [4] slug or bullet holes in block wall surrounding the location). Several of the windows in the south and east facing walls were broken and the window screens were displaced. The interior of the house exhibited additional bullet holes, and several fired bullets were located in the living room which lines the south east corner of the house as well as the small room in the center of the house.

IAB Note: For detailed information regarding the property damage, "slug or bullet holes," refer to **Exhibit Z,** Scientific Services-Firearms Identification Section, Field Investigation report.

CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator: Detective Robert Moran, Compton Station

Court: Compton Superior Court
Deputy District Attorney Marilyn Seymore.

Charges Filed: All criminal charges submitted to the District Attorney's Office were rejected. The charges consisted of:

Attempt Murder of a Peace Officer, 664/187(a) PC
Vandalism, 594 (b)(1)PC

187. (a) Murder is the unlawful killing of a human being, or a fetus, with malice aforethought.

664. Every person who attempts to commit any crime, but fails, or is prevented or intercepted in its perpetration, shall be punished where no provision is made by law for the punishment of those attempts, as follows: (a) If the crime attempted is punishable by imprisonment in the state prison, the person guilty of the attempt shall be punished by imprisonment in the state prison for one-half the term of imprisonment prescribed upon a conviction of the offense attempted. However, if the crime attempted is willful, deliberate, and premeditated murder, as defined in Section 189, the person guilty of that attempt shall be punished by imprisonment in the state prison for life with the possibility of parole. If the crime attempted is any other one in which the maximum sentence is life imprisonment or death, the person guilty of the

attempt shall be punished by imprisonment in the state prison for five, seven, or nine years. The additional term provided in this section for attempted willful, deliberate, and premeditated murder shall not be imposed unless the fact that the attempted murder was willful, deliberate, and premeditated is charged in the accusatory pleading and admitted or found to be true by the trier of fact.

594. (a) Every person who maliciously commits any of the following acts with respect to any real or personal property not his or her own, in cases other than those specified by state law, is guilty of **vandalism**: (1) Defaces with graffiti or other inscribed material. (2) Damages. (3) Destroys. Whenever a person violates this subdivision with respect to real property, vehicles, signs, fixtures, furnishings, or property belonging to any public entity, as defined by Section 811.2 of the Government **Code**, or the federal government, it shall be a permissive inference that the person neither owned the property nor had the permission of the owner to deface, damage, or destroy the property. (b) (1) If the amount of defacement, damage, or destruction is four hundred dollars ($400) or more, **vandalism** is punishable by imprisonment in the state prison or in a county jail not exceeding one year, or by a fine of not more than ten thousand dollars ($10,000), or if the amount of defacement, damage, or destruction is ten thousand dollars ($10,000) or more, by a fine of not more than fifty thousand dollars ($50,000), or by both that fine and imprisonment.

LIGHTING OR WEATHER CONDITIONS:

The weather was cloudy, cool, and dark at the time of the shooting (approximately 0030 hours).

INVOLVED DEPUTIES:

Deputy Alfonso Rodriguez

Deputy Alfonso Rodriguez was interviewed at the Internal Affairs building in the City of Commerce on February 13, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Rodriguez said on the night of the incident he was working uniformed patrol in a single person, marked patrol car. He said he normally works in the same vehicle with Deputy Jason Phillippi, [redacted] however, he explained that [redacted] and they were now working separate cars ("[redacted]), with Phillippi "[redacted] him.

Rodriguez said he was in the area of Bullis Road and Alondra Boulevard [redacted] when he was assigned a 415 Family call on Anzac Avenue and Nord Street. He said he didn't initially respond to the call, until it was updated to a Code 3 response. Rodriguez said he began some "basic coordination," then he was advised that units were already at the location. He said when he arrived on scene, there were "numerous people ('about 30') on all sides of the streets," and two people were detained in handcuffs

by deputy personnel. He said the crowd was loud and "a little defiant"; it appeared they were "a little upset, because people were being detained." Rodriguez said he was told that one of the suspects entered a residence ([redacted] Anzac Avenue), and he began to approach the location. As he made his way towards the residence, Rodriguez said he saw Deputies Montoya and [redacted] near the home. He then heard someone inside the residence say, "I have a gun." Rodriguez said he alerted other deputies by yelling, "Hey, he's got a gun, he's got a gun," and ran behind a radio car for cover.

Rodriguez said as Deputy Phillippi (also behind the same car) began coordinating units, he ran back to his patrol car and retrieved the AR-15 from the trunk. He said he returned to the vehicle by Phillippi and positioned himself near the trunk. A couple of minutes later, he heard a gunshot from within the house. Rodriguez remarked the crowd was now more of a factor, as they were uncooperative and various deputies shouted commands for them to "get back." Rodriguez said as he continued to watch the residence, he heard a gunshot, then saw the south window break and muzzle flash emit from a window of the house. Fearing that he was being shot at, he returned fire towards the window, firing two rounds. Rodriguez related that he did not see the suspect, but he fired at the direction of the muzzle flash. As he reassessed, he said he saw the silhouette of the suspect reappear in a window just adjacent to where he saw the initial muzzle flash. Fearing that he was going to be shot at again, he said fired one additional round at the silhouette.

Shortly after firing his weapon, Rodriguez said he was contacted by Sergeant Regalado, who repositioned him across the street. He said he took cover behind a tree and continued to watch the residence through a large window near the front door. Rodriguez said PA announcements were made towards the residence, instructing the suspect to give up. He said as he watched the location, he saw the suspect raise his hands and begin to comply with the orders given over the PA. Rodriguez said the suspect came out of the house and was taken into custody. Rodriguez was then transported to the command post at Wilmington Avenue and El Segundo Boulevard.

IAB Note: For a complete transcription of Deputy Rodriguez's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit J** for Deputy Rodriguez's Supplemental Report.

Deputy Frank Montoya

Deputy Frank Montoya was interviewed at the Internal Affairs building in the City of Commerce on February 8, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Montoya said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner [redacted] Deputy [redacted] Deputy Montoya said he and Deputy [redacted] assigned themselves as an assisting unit to the "415 Fight" call on Anzac Avenue, which was assigned to Deputy Phillippi and Deputy Rodriguez. He stated that while en route to the call, it was updated to an "assault with a deadly weapon call, now, suspects are brothers, who were fighting with a shovel."

Deputy Montoya said he and [redacted] were the first of the responding units, so they stopped at an area just south of the location, and waited for the handling unit or other assisting units to arrive. While waiting, they were advised by an airship that there were approximately 30 to 40 people in the intersection of Nord Street and Anzac Avenue, which were breaking up in to two groups. Montoya said the airship relayed that one of the groups was on Nord Street, near Anzac Avenue, and the other group was walking westbound on Nord Street, towards Wilmington Avenue. In conjunction with several other units (unidentified) that had responded to the location, Montoya said he began to drive towards the intersection of Nord Street and Anzac Avenue. Deputy Montoya related the area is a "a high crime area, with Anzac Crips and Front Hood Crips." He stated that in the past he and Deputy [redacted] have responded to "numerous calls in the area of 415 G's," and they have had "numerous run-ins with large groups of uncooperative people at that location."

Deputy Montoya said as they approached the intersection, he saw a Black male ([redacted]), who was bleeding from his left hand. He said the male "looked really upset" as "he started pointing kind of frantically northbound towards [redacted] the suspect's house." Montoya said he stopped the radio car on Nord street, and he and Deputy [redacted] started walking towards the intersection. He said as other deputies arrived, they "started trying to deal with the crowd that was really loud and unruly," as he tried "to figure out what was going on." Montoya said as he and [redacted] began walking towards the suspect's house, he noticed a Black male enter the residence. He said the male (later identified as Suspect Brian Earle) ran towards the back of the house, and the crowd began to distance themselves away from it. Montoya said as he and [redacted] walked towards the front of the location in an attempt to contact the male and "see what was going on," the male slammed the door shut and locked it. The male then started running around the house, slamming other doors, apparently "locking himself in the house."

Montoya said he shouted to Deputy Rodriguez, "Hey, this guy, he's locking himself in the house." He said at that point, he heard someone from inside the residence yell, "I got a gun. I got a gun." Montoya related, "I didn't know who said it, but from my observations I only saw one male, the male that I saw slam the door in my face." Montoya said based on his initial observation of the male bleeding, coupled with the condition of the house (various broke out windows), he believed the male on the interior of the house was "out of control, and either on PCP or some kind of drug."

Montoya said at that point, he knew he and [redacted] were "way too close to the location," and they crouched behind some block pillars in front of the residence. He said he saw Deputy Phillipppi, Phillipppi's [redacted] (Deputy Rodriguez), and some other deputies run behind a patrol car in the intersection of the location. Deputy Montoya said he began broadcasting information on LTAC, and requested a supervisor and an AR-15. He said shortly thereafter (approximately a minute to a minute and a half), he heard a "muffled gunshot" from the inside of the residence. Montoya said as Deputy Phillippi "put out that a round was fired on the radio," he saw that the crowd was "kind of advancing on the deputies." Montoya said the crowd was "unruly," as they screamed and yelled, apparently trying to "help out the guy in the house." Montoya said as some of the deputies attempted to push the crowd back, he and Deputy [redacted] retreated to a tactical position across the street, directly east of the location.

Montoya said he positioned himself behind a large tree that was directly east of the main living room window, and Deputy [redacted] took cover behind a car, just north of him. As he watched the residence, Montoya said he saw the male "running in and out of the living room, and into other rooms." He remarked that the interior of the house was dim, and he could see only "shadows or silhouettes." Montoya said he had his gun drawn, fearing that "the suspect was going to step out with a gun," and watched the location as Deputy Phillippi set up a containment of the house.

Montoya said approximately two to three minutes later, he "heard a gunshot come from inside the residence, and saw a muzzle flash on the back wall, where it was mirrored." (IAB Note: Deputy Montoya's reference "where it was mirrored" refers to the west wall of an interior room of the residence. The wall is covered with 12" x 12" mirror tiles.) He said the "flash flashed out toward the deputies with glass (from the window) breaking out toward them." Montoya said he returned fire into the residence, aiming "to the right of the muzzle flash," firing eight rounds in a single volley. He related from his vantage point he could not see the suspect; however, based on where he saw the muzzle flash, he was able to determine the shooter's position.

IAB Note: Montoya stated, "I fired just to the right of it (the muzzle flash), 'cause I know from my training and experience, people do not hold the handgun or a riffle right next to their face. They usually extend their arms out and fire."

Montoya said at the same time he fired his gun, he also heard other deputies firing their weapons. He said after a volley of rounds, he "scanned for a target," but there was no movement in the house. He said he did a tactical reload, de-cocked his gun, then ran over to the patrol car in front of the residence. Montoya said after about three to five minutes and several P.A. announcements, the suspect raised his hands and stood up in front of a south window. Montoya said the suspect was given verbal commands and eventually came out of the location, giving up. Montoya related that the suspect appeared drunk, as Deputies Phillippi and Cocke handcuffed him and took him into custody.

IAB Note: For a complete transcription of Deputy Montoya's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit G** for Deputy Montoya's Supplemental Report.

Deputy Richard Cocke

Deputy Richard Cocke was interviewed at the Internal Affairs building in the City of Commerce on February 7, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Cocke said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Rafael Rufino. Cocke said he and Deputy Rufino were in the Compton Station parking lot when he heard a disturbance call (415F) updated to a "245 now, with a Code 3 response." He said he and Rufino responded, arriving at the location approximately two to three minutes later, simultaneously with two other units. He said when he reached the intersection of Anzac Avenue and Nord Street, he observed a

crowd of approximately 30 to 50 people in the street and surrounding area. Cocke described the scene as "chaos" and the crowd "unruly," refusing orders to disperse.

Cocke stated that as he and Rufino approached the intersection, his attention was drawn to a Black male [redacted], whose hand was bleeding. He said the male was yelling towards a house [redacted] Anzac Avenue) at the intersection. He said based on his observations, he believed the male was involved in the incident, "either a victim or a suspect, or a suspect/victim." Cocke said he handcuffed and detained the man, causing "some friction from the crowd." He said the crowd told him that he had the "wrong guy," and they would "take care of it." He said because of the crowd's interference, he and Rufino decided to place the male in their patrol car. While securing him in the rear seat, Cocke said he was approached by Deputy Rodriguez, who told him, "Deputy Cocke, there's a guy with a gun running into the house [redacted] Anzac Avenue)." Cocke said his attention was then drawn to Deputy Philippi, who was by himself and "standing real close to the front of the house."

Cocke said he and Rufino joined Phillippi at the patrol car near the house in an attempt to aid him. He said as Philippi started to coordinate over the Patch, he "heard what sounded like a gunshot and saw debris fly out of the window at the northeast corner of the house." Cocke said he sought cover behind the radio car, but he was also "real concerned about the unruly mob" behind them. He related that his initial thoughts were to retreat from their position and set up a containment; however, they were unable to pull back because of the "angry mob." Cocke said about that time he heard a second gunshot, and saw "muzzle flash" and debris fly out of the southeast window, which was the closest window to his position. He said fearing "either me or one of my fellow deputies was gonna get killed," he began to fire at a silhouette which he saw in the window. Cocke said he shot in three volleys of gunfire, firing three to four shots at a time for a total of twelve rounds. He stated that once the silhouette disappeared, he stopped firing his weapon.

Cocke said he held the position at the radio car, until he, Rufino, and Phillippi were relieved and repositioned further away on Anzac Avenue. He subsequently aided the arrest team and helped take the suspect into custody.

IAB Note: For a complete transcription of Deputy Cocke's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit C** for Deputy Cocke's Supplemental Report.

Deputy Rafael Rufino

Deputy Rafael Rufino was interviewed at the Internal Affairs building in the City of Commerce on February 2, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his LASPA representative, Greg Emerson. The following is a summary of the interview, which was audio recorded.

Deputy Rufino said on the night of the incident he was working uniformed patrol in a marked patrol unit with his partner, Deputy Richard Cocke. He said Deputy Cocke was the driver of the vehicle and he was the front seat passenger, "bookman." Deputy Rufino stated that his normal duty weapon was a Heckler & Koch handgun, but on the night of the shooting he deployed and used a Department issued Ithica shotgun.

IAB Note: The shotgun used by Deputy Rufino was not the weapon assigned to him that evening. During the incident, Deputy Rufino retrieved the shotgun from another vehicle (Deputies Montoya and [redacted] vehicle), which was also parked at the location. The weapon was loaded by Deputy [redacted] at the start of his shift with three buck shot rounds (#4 buck) and one rifle slug. (Refer to the "Miscellaneous" section of this report for further information concerning issues regarding the shotgun at Compton Station.)

Deputy Rufino said he and Deputy Cocke responded to Anzac Avenue and Nord Street regarding a "245 call." Once they arrived at the location, he saw twenty to twenty-five (20-25) people in the area of the intersection. Deputy Rufino said he contacted an unidentified Black male [redacted], who was bleeding and appeared to have been in a fight. The male told him that he had been in a fight with his brother (Brian Earle), then pointed to him standing in front of a residence at [redacted] Anzac Avenue. Rufino said based on the information given in the call, coupled with the male's statements, he detained [redacted]

While placing [redacted] in a nearby patrol vehicle, Rufino's attention was drawn to Brian Earle and another male, who ran into the residence of [redacted] Anzac Avenue. Rufino said as he turned back towards [redacted] he heard an unidentified deputy yell, "He's got a gun. He's got a gun." Rufino said he crouched down and took cover behind the engine block of the vehicle. While at the unit, Rufino retrieved the shotgun from the car, because it was "easier to cover someone with the shotgun," and made a visual check of the perimeter. At that time, Deputy Phillippi told him that there was someone in the location ([redacted] Anzac) with a gun. He said he and Deputy Cocke joined Phillippi at the front of the location, because Deputy Phillippi was there alone. Rufino and Deputy Cocke then positioned themselves near the engine block.

IAB Note: Although Deputy Rufino stated that he believed a second male also ran into the location, no one was discovered despite a subsequent protective sweep and search of the location.

Rufino said as he watched the location, he heard yelling coming from within the residence. As he continued surveilling the house, he saw a silhouette appear in a south window of the residence. He said as he watched the silhouette, he simultaneously heard a single gun shot and saw the glass of the south window break outward. Fearing that he was "being shot at," Rufino "shot back," firing his shotgun four times towards the silhouette in the window. He said once he stopped firing his weapon, he no longer saw the silhouette.

IAB Note: Rufino described the silhouette as a large male. He stated that he saw the silhouette holding a dark object, but he was unable to determine what the object was. However, he stated that he believed it was gun, based on hearing the gunshot and seeing the window break.

Rufino said once all the gunfire stopped, Sergeant Regalado pulled him back as the area was secured and he responded to the command post at the intersection of Wilmington Avenue and El Segundo Boulevard.

IAB Note: For a complete transcription of Deputy Rufino's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit K** for Deputy Rufino's Supplemental Report.

Deputy Javier Cruz
Deputy Javier Cruz was interviewed at the Internal Affairs building in the City of Commerce on February 8, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Cruz said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Nader Chahine. Cruz said while conducting routine patrol he and Deputy Chahine heard Deputy Phillippi request for assistance regarding shots fired at his location. He said he and Deputy Chahine responded to the location, believing that shots were being fired at deputy personnel. He said when they arrived on scene, there was a "mob" of 30 to 50 people in the area. He stated that the crowd appeared "unruly" as they refused to back-up or disperse. In an attempt to move the crowd back from the intersection and "out of harm's way," Cruz said he moved the vehicle forward into the intersection of Anzac Avenue and Nord Street, causing the crowd to retreat. He said he then took a position in the intersection behind the driver's side of the door. While waiting for additional units, Cruz said he activated the patrol unit's spotlights, and illuminated the residence at [redacted] Anzac Avenue. He then watched the southwest window of the residence.

Cruz stated that as he surveilled the location, several PA announcements were made for the occupant to step out. He said after two to three minutes, there was "no answer," but as he continued to watch the location he saw a silhouette of a man appear in the window. Cruz said the window then shattered and, simultaneously, there was muzzle flash and "a loud bang coming from the location." He said he "immediately shot a burst of fire into the location," firing one volley of "three to five rounds." Cruz said when the gunfire stopped, the male in the interior of the house raised his hands (surrendering) and said, "I'm coming out. I'm coming out." After approximately two to three minutes, the suspect exited the location through the front door, and was apprehended without further incident.

IAB Note: For a complete transcription of Deputy Cruz's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit D** for Deputy Cruz's Supplemental Report.

Deputy Nader Chahine
Deputy Nader Chahine was interviewed at the Internal Affairs building in the City of Commerce on February 7, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Chahine said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Javier Cruz. Chahine said, while conducting routine patrol, he and Deputy Cruz heard Deputy Phillippi request for assistance, via the Patch, stating "there was a male Black with a gun inside a house, shooting." Chahine stated that he believed that deputies at the location were being shot at by the suspect, and responded to the location. He said when they arrived on scene, "there were people on all sides" of the intersection of Anzac Avenue and Nord Street, and deputies were "set up" on a house ([redacted] Anzac Avenue). Chahine said he and Deputy Cruz took a position on the

southwest corner of the intersection behind a patrol car and surveilled the location. He said while watching the residence, he saw muzzle flash from within the house, then heard two to three shots come from a southwest window. Simultaneously, Chahine said he saw a "silhouette at that window," and, fearing for his "life and safety," he fired one round at the silhouette.

Chahine said at that point, he heard a sergeant (unknown) yell, "Cease fire," and he no longer saw the silhouette at the window. He said the sergeant patted him on the back and he, along with several other deputies, retreated away from the residence to a position of "better cover." Approximately 30 seconds to a minute later, he saw a male from within the residence "put his hands up and walk to the livingroom area." Chahine said the deputies then instructed the suspect to exit the house, where they subsequently took him into custody.

IAB Note: For a complete transcription of Deputy Chaine's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit B** for Deputy Chahine's Supplemental Report.

Deputy Chad Sauter

Deputy Chad Sauter was interviewed at the Internal Affairs building in the City of Commerce on February 8, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Sauter said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Joe Landberg. Sauter said while returning to his patrol area from [redacted] at CRDF, he heard various radio traffic over "the Patch and LTAC," indicating some type of activity "on the westside [of Compton Station area.]" He then heard Deputy Montoya say, "Hey, we need some more deputies over here A.S.A.P, and we need to get an AR over here, and we need deputies also for crowd control." Sauter said Deputy Montoya further relayed that his position was at Anzac Avenue and Nord Street, and there had been shots fired at the location.

Sauter stated that he and Landberg responded to the location, and when they arrived he saw "half a dozen deputies taking cover behind a vehicle," and a large crowd of "at least 100 people" around the intersection. Sauter said some deputies attempted to push the crowd back, but the crowd was uncooperative and swore at the deputies. Sauter said as Deputy Landberg dealt with the crowd, he retrieved an AR-15 from the trunk and looked for a spot to deploy the weapon. He said he contacted Deputy Montoya, who told him to setup on the east side of the house [redacted] Anzac Avenue). Sauter relayed that he was told that the suspect was armed and shots had been fired in the location.

Sauter said approximately one minute after setting up, he heard a gunshot erupt from the house out of a south facing window. Simultaneously, he said he saw "muzzle flash" and the glass of the window blow outwards, towards the deputies. Sauter said he could not see the suspect, but based on the muzzle flash, he "figured about an arm-distance away, and judged about where the suspect would be." He then "fired about seven rounds through the wall, intending on hitting the suspect, through the exterior wall."

Sauter said after he stopped firing, he surveyed the location and heard deputies "ordering the suspect out," via the PA system. He said as he watched the house, he saw the suspect nod, then exit the residence. As the suspect exited the location with his hands in the air, Sauter said he watched him until he was near the middle of the street, where he lost his view. Sauter said he did not see the suspect taken into custody, but he remained focus on the house until he was relieved approximately 20 minutes later.

IAB Note: For a complete transcription of Deputy Sauter's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit L** for Deputy Sauter's Supplemental Report.

Deputy Gerald Landberg

Deputy Gerald Landberg was interviewed at the Internal Affairs building in the City of Commerce on February 2, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his LASPA representative, Gregory Emerson. The following is a summary of the interview, which was audio recorded.

Deputy Landberg said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Chad Sauter. Landberg said while [redacted], he heard a radio call regarding a 415 Family disturbance call. Upon finishing the booking process and returning to the station area, he said the call was upgraded to an assault call involving brothers, one with a bat and the other with a shovel. As they continued towards the station area, Landberg said he heard Deputy Phillippi state that a shot had been fired at the location and Deputy Montoya request "a rifle car."

Landberg said he and Sauter responded to the location (Anzac Avenue and Nord Street), because they were assigned as a "rifle car" that evening. He related that his partner, Deputy Sauter, was AR-15 certified, but he was not. Landberg said when they arrived at the intersection, there was "chaos." He said there was a large group of citizens that yelled, screamed, and cussed at deputy personnel, while the deputies were positioned behind radio cars with their weapons pointed at a residence [redacted] Anzac Avenue). He said Sauter removed the AR-15 from the trunk of their vehicle, as he attempted to push the crowd back. He then joined Deputy Cruz at the southwest corner of the location. Landberg said he illuminated the residence with the patrol car's spotlight, then positioned himself next to Cruz, behind the patrol car, and watched the residence. Landberg said a silhouette suddenly appeared in the window, directly in front of him. The silhouette moved, then he heard a gunshot as the window, simultaneously, broke outward. Fearing for his safety and his partner's safety, Landberg fired one volley of seven rounds towards the silhouette.

Landberg said when he stopped firing, he reassessed and did a tactical reload of his weapon. At that time, Sergeant Regalado tapped him on his shoulder and repositioned him near the rear of another radio car. Shortly thereafter, he was assigned to "do crowd control and push the crowd south on Anzac (Avenue)." Landberg related that during this time the suspect was taken into custody; however, he did not see the suspect exit the house or get apprehended.

IAB Note: According to other deputies on scene, the crowd quickly dispersed after the initial shots.

IAB Note: For a complete transcription of Deputy Landberg's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit E** for Deputy Landberg's Supplemental Report.

Deputy Michael Lenning

Deputy Michael Lenning was interviewed at the Internal Affairs building in the City of Commerce on February 2, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steve Flamm. He was accompanied by his LASPA representative, Greg Emerson. The following is a summary of the interview, which was audio recorded.

Deputy Lenning said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Daniel Vizcarra. He said he and Deputy Vizcarra drove to the intersection of Anzac Avenue and Nord Street in response to an "emergent, Code 3 call, re: 245." He said he heard earlier radio traffic regarding the call, stating that Deputy Rodriguez, the handling unit, was delayed. Lenning said the initial call was regarding a "415 family disturbance," but it was upgraded to an assault call: "two brothers were going at it, one had a shovel and the other one had a baseball bat," with a crowd gathering at the location. Lenning said at the time the call went out, he and Vizcarra were "at the other end of the city" and had an extended response time; however, his "initial intention was to help with crowd control."

Lenning said upon their arrival, he heard that one of the suspects had a gun and ran into a residence ([redacted] Anzac Avenue) at the intersection. He said he took a position on the southwest corner of the intersection behind a radio car, as his partner, Deputy Vizcarra, took a position to the right of him near another radio car. While behind the vehicle, Lenning said he focused on a window located on the southeast end of the residence. He said while he was watching the window, "the suspect appeared in the window, and as fast as he appeared, there was a gunshot." Lenning said he "then watched the glass, directly in front of that suspect, blow outwards" towards him. He stated that based on the information that the suspect was armed, coupled with the gun fire and the glass blowing out his direction, he "perceived that the individual on the other side of that glass was shooting at me or at my partners in my direction." He stated that he returned fire at that suspect, firing one volley of five rounds.

Lenning said while surveilling the location after firing his weapon, he saw the suspect reappear in the same window with his "hand up, basically saying, he's giving up." Lenning said the suspect was given orders over the P.A. system to step out the front door and into the street, where he was subsequently taken into custody. Shortly after the suspect's arrest, Lenning was approached by Sergeant Regalado, who "came to the trunk and asked if everybody was good." At that point, Lenning said they retreated back and he was taken to the command post.

IAB Note: For a complete transcription of Deputy Lenning's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit F** for Deputy Lenning's Supplemental Report.

Deputy Mark Raffaelli
Deputy Mark Raffaelli was interviewed at the Internal Affairs building in the City of Commerce on February 13th, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Raffaelli said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Anthony Willis. Raffaelli said they had just finished [redacted] and were returning to their patrol area, when he heard radio traffic "requesting assistance." He said there were "multiple sources" putting out the traffic, relating he heard Deputy Phillippi, Deputy Montoya, and Aero Bureau, with "SCC jumping in every now and then." He said the information which was relayed stated that they had a barricaded suspect, who was armed. Rafaelli said while en route to the location, they received additional information that a gun shot had been heard at the location.

Raffaelli said he and Willis were "one of the last units to arrive." He said as he exited the patrol car, he retrieved the shotgun and proceeded towards the location. Raffaelli said as he approached the scene, he saw a large crowd of people around the intersection. He described the crowd as "antagonistic" and "extremely vocal," stating they were "cursing and yelling" at the deputies, who were positioned around a house ([redacted] Anzac Avenue). Rafaelli said he took a containment spot on the southwest corner of the intersection, behind a passenger door of a patrol car, and "focused on a southeast corner window." He said he was only at his position for "a very short time, maybe one to two minutes," when he heard "a gunshot and [saw] glass exploding directly out from the window" that he was focused on. He said he then returned fire, firing one rifle slug from his shotgun, directed "dead center mass at that window."

Rafaelli said he then heard Sergeant Regalado yell, "Cease fire." He said he held his place and continued to scan the house, until he was repositioned further back from the location. Rafaelli said as he continued to watch the house, he saw a Black male raise his hands, then stand in front of a window with his hands still raised. He said the man was ordered out of the house and taken into custody. At that point, Rafaelli said he was relieved and taken to the command post.

IAB Note: For a complete transcription of Deputy Rafaelli's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit H** for Deputy Rafaelli's Supplemental Report.

Sergeant Raul Regalado
Sergeant Raul Regalado was interviewed at the Internal Affairs building in the City of Commerce on February 2, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Larry Landreth. He was accompanied by his POPPA representative, Marlene Rinaldi. The following is a summary of the interview, which was audio recorded.

Sergeant Regalado said the night of the incident he was working as the field sergeant, 280S, in a marked patrol with a newly assigned sergeant, Sergeant April Tardy. He said he was initially the driver of the vehicle, but he and Sergeant Tardy switched positions near the end of his shift. He stated that while continuing to patrol the Compton area, he heard a call of a

"415, fight, on Anzac involving the two males." He said the call additionally stated that there was a crowd of people in the street, separating the males, and aero was en route. Regalado said as he and Tardy responded to the call, he heard (either via LTAC or Dispatch 9) that the suspect had entered a residence and was smashing windows of the house. As they continued to respond, Regalado said he received additional information that the suspect had armed himself, and a shot was heard inside of the residence ([redacted] Anzac Avenue), where he was barricaded.

Regalado said as they approached the location, he heard a request from Deputy Montoya asking for a sergeant and an AR-15. He said when he and Tardy arrived on scene, he instructed her to retrieve the AR-15 from the vehicle as he went to evaluate the status of the situation. Regalado said as he approached the intersection of Anzac Avenue and Nord Street, he saw a group of 10 to 20 people standing near the intersection. Among the crowd was a Black male ([redacted], who was handcuffed; however, there were no deputy personnel watching or in control of the male. He said the male approached him and asked him to remove the handcuffs. Regalado said he took control of the man, secured him in a radio car, then instructed a deputy (unidentified) to watch him.

Regalado said as he surveilled the scene, he saw several deputies behind a radio car directly in front of the location and another group of deputies behind a radio car on the southeast corner of the intersection. He said based on the fact that they were dealing with an armed suspect, he attempted to reposition the deputies to a safer location. Regalado said he attempted to instruct the deputies to move back, but he had difficulty in communicating his orders, explaining that with aero overhead he couldn't be heard. He said in an attempt to contact and reposition each of the deputies individually, he approached the radio car positioned on the southeast corner. While positioned with his back away from the house ([redacted] Anzac Ave), Regalado said he heard gunfire erupt around him.

Regalado said he was "angry," and began to wonder, "What are you guys firing at?" He stated that after the deputies shot for what "seemed like an inordinate amount of time," he ordered them to "Stop firing." He said as looked back towards the house, he saw a Black male (Brian Earle) through the window, standing, with his hands raised over his head. Regalado said he repositioned the deputies further away from the location, then formed an arrest team. He said the suspect was ordered out of the house, via a patrol car's PA system, and was taken into custody.

Regalado stated that he believed that some of the rounds fired during the incident could be contributed to contagious fire. He related that he believed the shooting was "going on for too long," that the shots were not a "single volley," and there appeared to be a break in the succession of rounds that were fired.

IAB Note: For a complete transcription of Sergeant Regalado's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit I** for Sergeant Regalado's Supplemental Report.

WITNESS STATEMENTS:

Deputy [redacted]

Deputy [redacted] was interviewed at the Internal Affairs building in the City of Commerce on February 13, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Kevin Kuykendall. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy [redacted] said on the night of the incident he was working uniformed patrol in a marked patrol car with [redacted] Deputy Frank Montoya. He said he and Deputy Montoya assigned themselves as an assisting unit to the "415 Fight" call on Anzac Avenue, which was assigned to Deputy Rodriguez. He stated that while en route to the call, it was updated, stating "one of the suspects had possibly armed himself with a shovel, and that the fight was continuing."

[redacted] said he and Montoya met with other units that were also responding to the call, and "rolled in together." He said when they arrived at the location, he saw a crowd, then noticed a deputy (unidentified) detaining a suspect on the southwest corner. He said he noticed that the suspect had blood on his hands, and the deputy was in the process of handcuffing him. As he assisted the deputy in moving the suspect to a vehicle, he heard other deputies state that "another suspect or suspects" had run inside a residence ([redacted] Anzac Avenue). [redacted] said he moved northbound on Anzac Avenue with Deputy Montoya in order setup a containment. As they moved near the house, he said he heard "some yelling or some noise that came from inside the house," but he was unable to ascertain what was said. He was subsequently advised by Deputy Montoya, "He [Earle] just yelled that he has a gun."

[redacted] said the crowd was "yelling and screaming," but he could not hear what specifically was being said from his position. However, he said he could hear other deputies make several requests for units to assist to move the crowd back, which was becoming an angry crowd.

As he and Deputy Montoya began searching for another position, [redacted] said he heard "a loud noise" come from within inside the residence; then, a deputy (unidentified) stated that someone had just fired a weapon in the house.

> **IAB Note:** Deputy [redacted] related that he could not personally ascertain what was being said from within the house or the sounds which came out of it, because of the loud noise of the helicopter (Aero Bureau) overhead.

[redacted] said he and Deputy Montoya moved east and he took a position behind a vehicle, across Anzac Avenue to the east corner of the house. Approximately one to two minutes later, he said he heard a "muffled sound" from inside the house; then, simultaneously, he heard glass shattering, and saw pieces of glass from a south facing window falling down to the ground. [redacted] said "based on the noise and the immediate shattering of the glass," he believed the suspect fired a weapon at the deputies in the intersection in front of the residence. He said he considered returning fire; however, he "could not gain a target." [redacted] said he then heard a volley of gun fire, which lasted three to five seconds. Approximately a minute later, "call-outs" were made towards the residence, instructing the suspect, Brian Earle, to come out of the house. [redacted] said the Earle subsequently emerged

from the house and was taken into custody.

IAB Note: For a complete transcription of Deputy [redacted] statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit O** for Deputy [redacted] Supplemental Report.

Deputy Jason Phillippi

Deputy Jason Phillippi was interviewed at the Internal Affairs building in the City of Commerce on February 2, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steven Flamm. He was accompanied by his ALADS representative, Elizabeth Gibbons. The following is a summary of the interview, which was audio recorded.

Deputy Phillippi said on the night of the incident he was working uniformed patrol in a single person, marked patrol car. He said he and Deputy Alfonso Rodriguez, [redacted] generally work in the same vehicle; however, he explained that Rodriguez was in [redacted] and they were now working "[redacted]."

IAB Note: "[redacted]" consist of two one-man units, generally a [redacted] in one vehicle and his [redacted] in the other. The units respond to calls together in tandem, with the [redacted] assigned to handle the call for service. This procedure generally occurs during the fifth or sixth month of the [redacted] and is used to ensure the [redacted]

Deputy Phillippi said he and Deputy Rodriguez were assigned a "415 Fight" call on Anzac Avenue; however, they were delayed in responding to the call because of an ongoing [redacted] at "the other end of the city." He said when the call was upgraded to a "Code 3 response, 245," he and Deputy Rodriguez responded to the location. Phillippi said as he approached the vicinity of the call, he heard an aero unit "guiding people in" and positioning them around the area. He said the air unit advised him that there were "sufficient units with one of the suspects on Nord Street," then directed him to the house ([redacted] Anzac Avenue), where the second suspect (Suspect Brian Earle) was last seen. Deputy Phillippi said he stopped and parked his unit in the intersection of Nord Street and Anzac Avenue at the direction of the airship. As he exited his unit, he saw Deputies Montoya and [redacted] walking on the sidewalk near the residence. He said he called out to Deputy Montoya, telling him, "Hey, let's go up and contact this guy." As he walked towards the gate which surrounds the residence, Phillippi heard the sound of glass break and "someone from inside say, 'I have a gun. I have a gun.'"

Phillippi said he was "startled" by the statement and broadcasted the information over the radio, advising the responding units that the suspect was armed and they needed to "lock this place down." He said as he backed away from the residence, he heard "a single gunshot come from somewhere inside the house." He again broadcasted the information over the radio, and began coordinating responding units, "trying to get the backside of the house locked down." Phillippi said while he coordinated a containment of the residence, he was joined by Deputies Cocke, Rufino, and Rodriguez at the front of the location in the intersection. He said Rufino and Cocke took up positions on the engine block of his radio car and watched the location, as he continued to position responding units into the

containment. As he surveilled the area, Phillippi saw a crowd of people (20-30) on the sidewalk of the intersection directly behind them, "slowly inching their way forward." He said as the crowd approached, they were "yelling and hollering," making various remarks and comments. He said based on the actions of the crowd, he requested additional units to respond to the location in order to help contain the scene. Phillippi said as he focused his attention on the crowd, he "heard another gunshot coming from somewhere inside the house"; and "immediately" after that shot, he heard "a quick volley of gunfire" from the deputies around him, "returning fire into the house." Phillippi said P.A. announcements were then made towards the residence, instructing the suspect to "give up" and exit the house. A few minutes later, Suspect Earle, uninjured, came out of the house and was taken into custody without further incident.

IAB Note: For a complete transcription of Deputy Phillippi's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit M** for Deputy Phillippi's Supplemental Report.

Sergeant April Tardy

Sergeant April Tardy was interviewed at the Internal Affairs building in the City of Commerce on March 9th, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steve Flamm. She was accompanied by her POPA representative, Venise Wallace. The following is a summary of the interview, which was audio recorded.

Sergeant Tardy stated that at the time of the incident she was a newly promoted sergeant, relating she had only been assigned to Compton Station for a week. She said on the night of the incident she was working as the field sergeant, 280S, in a marked patrol car along with Sergeant Raul Regalado. Tardy said she and Regalado were at the "east end" of the city when she heard a 415 Family call, "two brothers fighting," dispatched. She said the handling unit subsequently requested extra units for crowd control, and she and Regalado proceeded to respond to the call. She said while they were en route, additional requests were made for a Code 3 response and a "Sam Unit" with an AR-15. Tardy said just prior to their arrival, further information was relayed, stating that one of the involved parties went into a residence [redacted] Anzac Avenue) and yelled that he had a gun.

Tardy said when they arrived at the location, Sergeant Regalado went directly towards the scene at the intersection of Anzac Avenue and Nord Street, as she retrieved the AR-15 from the vehicle and followed behind him. She said as she approached the intersection, she saw a group of people (10 - 15) gathered around the scene and a Department helicopter overhead. Tardy said as she took a position on the northwest corner, her attention was drawn east, about a block away on Nord Street, where there was another group of people (5 - 10) and more deputies (thought to be GET deputies or Compton Task Force personnel). She said the crowd was loud and engaged in what appeared to be a verbal altercation with the deputies. Tardy related that because of the loudness and sound of the altercation she believed "the deputies were involved in a fight." She said as she was focused on what was occurring down the street, her attention was suddenly drawn back to the house on Anzac, when she heard a "loud popping sound," followed by the sound of breaking glass. She said she turned back towards the house and saw several deputies firing their weapons at the residence. When the firing stopped, Tardy said she saw Sergeant Regalado reposition several deputies back, as she also moved vehicles and deputies further away from the

residence.

Tardy said the suspect remained inside of the house for "several minutes," until he "appeared in one of the windows." She said he was then ordered out of the house, where he was taken into custody. She said she remained at the scene and contained the location, as Sergeant Regalado gathered the deputies who were involved in the shooting and escorted them to the command post.

IAB Note: For a complete transcription of Sergeant Tardy's statements, refer to the "Transcriptions" section of this investigation.

Refer to **Exhibit N** for Sergeant Tardy's Supplemental Report.

Deputy Anthony Willis

Deputy Anthony Willis was interviewed at the Internal Affairs building in the City of Commerce on February 22, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Kevin Kuykendall. He was accompanied by his ALADS representative, Sean McKee. The following is a summary of the interview, which was audio recorded.

Deputy Willis said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Mark Rafaelli. He said he and Deputy Rafaelli were on the "East side" of the city, when they heard Deputy Phillippi request assistance. Willis said Phillippi stated that they had a barricaded suspect and a shot had been fired at the location. Willis said he and Rafaelli responded to Phillippi's position, the intersection of Anzac Avenue and Nord Street. He said when they arrived on sene, he noticed there was a containment of a house ([redacted] Anzac Avenue) and two groups (10 to 15 people in each group) of people had gathered at the intersection. Willis said several people in the crowds were "causing a commotion," as they yelled, cussed, and distracted the deputies on the containment.

Willis said he took a containment position on the southwest corner of the intersection along with some other deputies. He said he focused on a window on the southeast of the residence, and saw a silhouette of a man in the interior of the residence, standing 3 to 4 feet back from the window, near a wall. As he watched through the window, he heard a gunshot, then saw a "flash" and the window "shatter out" towards him. He said at that time, the deputies around him returned fire back into the location. Willis related that he did not fire his weapon, because Deputy Chahine was in his line of fire.

Willis said after the shooting, Sergeant Regalado repositioned them, moving him back about 10 feet. He said PA announcements were made towards the home, ordering the suspect to come out. Willis said after about 10 minutes, the suspect emerged from the house and was taken into custody.

IAB Note: Refer to **Exhibit P** for Deputy Willis' Supplemental Report.

Deputy Daniel Vizcarra

Deputy Daniel Vizcarra was interviewed at the Internal Affairs building in the City of Commerce on March 20, 2006, by Internal Affairs' investigators, Sergeants Clay Anderson and Steve Flamm. He was accompanied by his LASPA representative, Greg Emerson. The following is a summary of the interview, which was audio recorded.

Deputy Vizcarra said on the night of the incident he was working uniformed patrol in a marked patrol car with his partner, Deputy Michael Lenning. He said he and Deputy Lenning drove to the location (Anzac Avenue and Nord Street) in response to a fight call. He said while en route, there was updated information that one of the parties involved in the fight had run into the house and armed himself with a gun.

Vizcarra said when they arrived at the location, there was an active containment of a residence. He said he took a position on the southeast corner of the intersection, next to a patrol vehicle. He said just prior to the shooting, he went to the vehicle's interior and turned off a spot light which was pointed towards the house. Vizcarra related that the light illuminated, "backlit," deputies that were positioned in front of the vehicle and close to the house. He said as he returned to his position near the front of the car, he heard a single gunshot, followed by numerous gunshots.

Vizcarra said at that point, Sergeants Regalado and Tardy began re-positioning deputies, moving them further away from the house. He said PA announcements were then made towards the residence, instructing the suspect to come out of the house. He said the suspect subsequently exited the home and was taken into custody.

IAB Note: Refer to **Exhibit Q** for Deputy Vizcarra's Supplemental Report.

Mr. [redacted]

Mr. [redacted] said he was sleeping in his room, when he was suddenly awakened by the sound of glass breaking. He exited his room and saw "Bruno" (Brian Earle) lying on the floor of the home. He said he didn't know what happened, and related that he and Brian Earle were the only two people in the house. Mr. [redacted] said he called "911," but he was told that six calls had already been received about the location. He said he exited the house and saw a Sheriff's helicopter overhead and a crowd of people across the street. Mr. [redacted] said he walked across the street and joined the crowd at the intersection of Nord Street and Anzac Avenue. He said as he watched the residence [redacted] Anzac Avenue), he saw "chairs flying out the window" and various windows being broken. He said then heard gunshots erupt.

Mr. [redacted] said that during the incident, he was approached by officers (unidentified), who asked if he lived at the residence and if there were weapons in the home. He stated that he replied that he did live in the house, but there were no weapons inside of the location. He said he was then detained and taken to a command post, along with "[redacted]" at El Segundo Boulevard and Wilmington Avenue. At the command post, Mr. [redacted] stated that he was told by other officers that they heard gunshots coming from within the house and that someone inside of the location stated that they had a gun. Mr. [redacted] said he reiterated that there were no weapons in the home, and further related that he never heard anyone from within the residence state that they had a weapon. However, Mr. [redacted] said that during the incident, he did hear someone (unknown) say, "He's got a gun."

Mr. [redacted] stated that the incident was a result of a fight between two brothers, Brian and [redacted] who lived in the house. He explained that the fight occurred because Brian "wanted to live for free," but his brother, [redacted], told him that he couldn't live for free and needed to "pay his way."

[redacted]

Mr. [redacted] said on the night of the incident he was at [redacted] Anzac Avenue visiting his [redacted] when an argument occurred between his two [redacted] [redacted] and Brian Earle. He said the two men had been arguing about money, when a physical fight ensued. He related that the argument occurred when [redacted] told Brian that he couldn't live at the house for free. Mr. [redacted] stated that he separated his [redacted] keeping one (Brian) outside and putting the other ([redacted]) inside. While outside, he said Brian stated, "Fuck it, if I can't stay here, nobody's gonna stay here," and picked up a brick and threw against the picture window in front of the home, shattering the window. He said Brian then picked up a bat and started breaking other windows of the home.

Mr. [redacted] said [redacted] came out of the house, and the two [redacted] started fighting again, as Brian took the bat and started to swing it at [redacted]. He stated that as the two [redacted] fought, he called Compton Sheriff's Station. Mr. [redacted] said when the deputies arrived, Brian suddenly ran into the house, closing the door behind him. He said as he stood outside and watched the residence, the lights went off, and, "after about a minute, he saw Brian throw something (unknown) out of the front bedroom window. Mr. [redacted] said, "When he threw that, that's when all the guns started." He related that he watched the officers shooting at the location, thinking that Brian was "going to be killed." He said after the shooting, he saw Brian exit the house.

Mr. [redacted] stated that he believed Brian Earle had a "death wish." He additionally related, "I know for a fact he was high." Mr. [redacted] said that Brian had been "smoking crack" and drinking Old English with Southern Comfort.

<u>Mr. [redacted]</u>

Mr. [redacted] said on the evening of the shooting he and his [redacted] were arguing, because his [redacted] Brian, wanted to live at the residence for free. He stated that during the argument his [redacted] threw a brick through a picture window of the residence, then broke other windows with a baseball bat. He said during the incident, his [redacted] stated, "I'm gonna live here for free. And if I cant live here, nobody's gonna live here." [redacted] said a physical altercation ensued and he subsequently called "911."

Mr. [redacted] said that after the police arrived, they detained him and placed him in a backseat of a radio car. He stated that he was unaware of what was occurring outside of the car, but while seated in the backseat, he heard gunshots.

Mr. [redacted] also related that his [redacted] had been drinking and possibly "high" during the incident.

IAB Note: Shortly after the incident, deputy personnel from Compton Station conducted a canvass of the vicinity. During the interviews, many residents stated that they had heard gunshots and/or were awakened by the sound of gunshots or the helicopter. They further stated that they had not witnessed the incident or could not contribute any other

information. Several residents also stated that they would not comment and/or did not want to be involved.

For further information regarding their statements and the canvassing of witnesses, refer to the supplemental reports located in this investigation as **Exhibit R.**

SUSPECT STATEMENT:

Brian Anthony Earle

On January 29, 2006, Detectives Scott McCormick and Robert Moran of Compton Sheriff's Station interviewed Brian Earle at the Century Regional Detention Facility (CRDF). Brian Earle stated he recently moved back to California from Las Vegas and into his mother's residence at [redacted] Anzac Avenue. He said on the evening of the shooting, he and his [redacted] [redacted] became involved in a physical altercation, relating that his brother didn't like him living there and he did not like the way his brother let "different people coming and going from the house." He said as they fought, one of [redacted] friends (unidentified) grabbed him from behind and choked him to the point he lost consciousness. He said when he woke up, he was on the floor of the living room, alone.

Brian Earle said that he became angry and stated that if he couldn't live in the house, then "nobody can live there." He said he got up and threw an unknown object through the East facing living room window, then proceeded to walk around the house breaking things and overturning furniture. He said he walked into the North/East bedroom, where [redacted] friend was staying, and broke the windows in the room and overturned more furniture. He stated that he next walked into the sewing room (located in the center of the house) and saw police cars pulling up in front of the house. Brian Earle stated that he sat down in the room, picked up an iron, and threw it through the south facing diningroom window. He said he immediately heard gunshots, then the police call for him to come out of the house. He said he complied and was taken into custody, uninjured.

Brian Earle said he never made any statements to the deputies about possessing a gun and/or any statements about telling the officers to leave. He stated that he never had a gun, relating that there were no guns in the house. He further related that on the day of the incident, he drank two 24oz bottles/cans of beer and took several puffs from a marijuana cigarette.

MISCELLANEOUS:

Subsequent interviews revealed a misconception among various Compton Station personnel regarding the deployment and use of rifle slugs in Department shotguns. Those issues were subsequently addressed by Compton Station supervisory personnel through recurrent briefings. A copy of the Department's policies regarding the shotgun (use, deployment, and ammunition) is included in this investigation as **Exhibit CC.**